

EXHIBIT 5

No. 14-90004

**In the United States Court of Appeals
for the Fifth Circuit**

JUAN RAMON TORRES; EUGENE ROBISON,

Plaintiffs-Respondents,

v.

SGE MANAGEMENT, LLC; ET AL.,

Defendants-Petitioners.

On Petition for Permission to Appeal from the United States District Court for the
Southern District of Texas, Houston Division, Case No. 4:09-CV-02056

**AFFIDAVIT OF BERNADETTE WRIGHT
IN SUPPORT OF MOTION FOR STAY**

Bernadette Wright, being duly sworn, deposes and states as follows:

1. I am over eighteen years of age, am competent to testify, and have personal knowledge of the facts stated in this Affidavit, which are true and correct.
2. I am a resident of Fayetteville, Fayette County, Georgia.
3. I have been a licensed attorney since 2001, and have operated my own law firm since 2007.
4. I have also served as an Independent Associate for Stream Energy since April 2008. In that capacity, I have personally enrolled over 20 Stream

Energy accounts and I have personally sponsored fellow IAs who, in turn, have also enrolled electricity and gas customers on behalf of Stream Energy.

5. I understand that Plaintiffs contend that Stream Energy and the other defendants have defrauded me, and others like me, because we were induced to join a multilevel marketing program that they claim is actually a pyramid scheme. I am not, however, a defined member of the putative class because I, along with thousands of other IAs, have made a profit through my involvement with Ignite/Stream Energy (and because I live in Georgia).

6. I have reviewed the class notice approved by the district court, which the court has ordered to be promptly distributed to every single IA who joined between January 1, 2005, and April 2, 2011.

7. Many, if not all, of the IAs I have recruited will receive this class notice. Moreover, because this is a business premised on a network model that promotes the rapid dissemination of information, the news of the issuance of the class notice will likely spread to everyone in this industry.

8. If the class notice is distributed, I will be irreparably harmed in two distinct respects.

9. First, it will significantly damage my reputation. Even though I am not a defendant, many of the customers I have signed and people I have recruited will accuse me of being complicit in these allegedly disreputable activities.

10. The class action notification accuses Stream of operating a racketeering scheme and states that a federal court has “certified” the lawsuit to proceed. The mere mention of “racketeering” (*i.e.*, a person who engages in fraudulent and dishonest business dealings), as well as the appearance of the claims bearing the approval of a federal court, will greatly injure my reputation with the IAs I have recruited and the customers I have signed, as well as have a chilling effect on my ongoing IA business.

11. Second, it will affect my economic livelihood. The customers I have signed and the IAs I have recruited will receive word of the notice and potentially cancel their accounts or slow-down their own efforts to sell Stream energy accounts—either of which will cause me financial harm that I will be unable to recover from any of the parties.

12. The consequences of the class notice will be the same as if the district court enjoined Stream Energy from enrolling any more customers pending the outcome of the suit. Many IAs will not want to work hard to gather customers for a company whose future is at stake. And current customers could react in exactly the same way. Electricity and gas are life essential services and no matter how much money you save each month, it isn’t worth the risk of one day thinking you will not have service because your provider has been sanctioned. Customers will switch and IAs will quit.

13. All of these harms will result because this industry is based on customer goodwill and the maintenance of trustworthy relationships.

14. Moreover, all of this this will not only affect me, but also every business partner I have enrolled, many of whom have come to rely on the income we earn each and every month through this business.

15. Nonetheless, I understand that, if there was a proper correct class certification order, there would be little I could do to avoid the irreparable consequences of sending out a class notice.

16. However, I also understand that the certification order may be appealed to the U.S. Court of Appeals for the Fifth Circuit, which may ultimately decide that the order was improper.

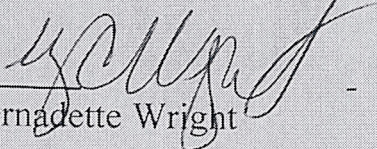
17. Given that fact, I see no reason to send the class notice now and subject me to all of these irreparable harms—when the alternative is to simply wait a few months and make sure that the class notice is proper before opening the Pandora’s Box of harms that will result.

18. After all, if the distribution of the class is notice is not stayed, I will be irreparably harmed even if Stream Energy succeeds in its appeal. My reputation and income will be unrecoverable. There will be no one from whom I can recover business I worked *years* to build.

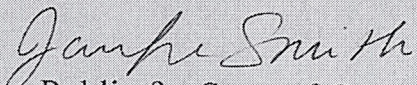
* * *

I declare, under penalty of perjury under the laws of the United States of America, that the foregoing is true and correct.

Dated: Fayetteville, Georgia
February 26, 2014


Bernadette Wright

Subscribed and sworn to before me on this 26th day of February, 2014, by Bernadette Wright, proved to me on the basis of satisfactory evidence to be the person who appeared before me.


Notary Public for State of Georgia

My Commission Expires: *February 4, 2018*

Jacquelyn Smith, Notary Public
Fulton County, State of Georgia
W00198469 Expires Feb 04, 2018